

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73928 of 2018

Arising Out of PS. Case No.-96 Year-2018 Thana- MATIHANI District- Begusarai

Gopal Ram Son of late Chlitra Ram Resident of Village- Godargema, P.S.
Matihani, District- Begusarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Praveen Kumar Agrawal, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 364(A)/34 of the Indian Penal Code registered in connection with Matihani P.S. Case No. 96 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely on suspicion and his name has surfaced on the basis of confessional statement of co-accused Gautam Kumar. The informant's husband has since been recovered and in his statement under Section 164 of the Code of Criminal Procedure, he has named four accused persons, namely, Gautam, Afroz, Manish and Sagir other than the petitioner who claims clean antecedents.

4. Learned APP has not referred to any material in the case diary to connect the petitioner with the two mobile numbers from which the ransom calls were made.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai, in connection with Matihani P.S. Case No. 96 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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